

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFREY LAYDON, on behalf of himself and all others similarly situated,

Plaintiff,

- against -

THE BANK OF TOKYO-MITSUBISHI UFJ, LTD., THE SUMITOMO TRUST AND BANKING CO., LTD., THE NORINCHUKIN BANK, MITSUBISHI UFJ TRUST AND BANKING CORPORATION, SUMITOMO MITSUI BANKING CORPORATION, J.P. MORGAN CHASE & CO., J.P. MORGAN CHASE BANK, NATIONAL ASSOCIATION, J.P. MORGAN SECURITIES PLC, MIZUHO CORPORATE BANK, LTD., DEUTSCHE BANK AG, THE SHOKO CHUKIN BANK, LTD., SHINKIN CENTRAL BANK, UBS AG, UBS SECURITIES JAPAN CO. LTD., THE BANK OF YOKOHAMA, LTD., SOCIÉTÉ GÉNÉRALE SA, THE ROYAL BANK OF SCOTLAND GROUP PLC, THE ROYAL BANK OF SCOTLAND PLC, RBS SECURITIES JAPAN LIMITED, BARCLAYS BANK PLC, CITIBANK, NA, CITIGROUP, INC., CITIBANK, JAPAN LTD., CITIGROUP GLOBAL MARKETS JAPAN, INC., COÖPERATIEVE CENTRALE RAIFFEISEN-BOERENLEENBANK B.A., HSBC HOLDINGS PLC, HSBC BANK PLC, LLOYDS BANKING GROUP PLC, ICAP EUROPE LIMITED, R.P. MARTIN HOLDINGS LIMITED, MARTIN BROKERS (UK) LTD., TULLETT PREBON PLC, AND JOHN DOE NOS. 1-50,

No. 12-cv-3419 (GBD)

Defendants.

PLAINTIFF'S NOTICE OF MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT WITH THE BANK OF YOKOHAMA, LTD., SHINKIN CENTRAL BANK, THE SHOKO CHUKIN BANK, LTD., SUMITOMO MITSUI TRUST BANK, LIMITED, AND RESONA BANK, LTD., AND WITH MIZUHO BANK, LTD., MIZUHO CORPORATE BANK, LTD., MIZUHO TRUST & BAKING CO., LTD, THE NORINCHUKIN BANK, AND SUMITOMO MITSUI BANKING CORPORATION

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the Declarations of Vincent Briganti and Brian J. Bartow, the Affidavit of Eric J. Miller, the exhibits attached thereto, and the record herein, Plaintiff, by and through his undersigned counsel, will respectfully move this Court, before the Honorable George B. Daniels, United States District Judge, at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, on December 19, 2019 at 10:00 AM, for an order granting final approval of the Settlement between Plaintiff and The Bank of Yokohama, Ltd., Shinkin Central Bank, The Shoko Chukin Bank, Ltd., Sumitomo Mitsui Trust Bank, Limited,¹ and Resona Bank, Ltd., and the Settlement between Plaintiff and Mizuho Bank, Ltd., Mizuho Corporate Bank, Ltd.,² and Mizuho Trust & Banking Co., Ltd., The Norinchukin Bank, and Sumitomo Mitsui Banking Corporation, and other relief set forth in the [Proposed] Final Approval Orders and the [Proposed] Final Judgments, filed herewith.

Dated: November 8, 2019
White Plains, New York

LOWEY DANNENBERG, P.C.

By: /s/ Vincent Briganti
Vincent Briganti
Geoffrey M. Horn
Peter D. St. Phillip
Sitsko W. Bediako
44 South Broadway, Suite 1100
White Plains, New York 10601
Tel.: 914-997-0500
Fax: 914- 997-0035
vbriganti@lowey.com
ghorn@lowey.com
pstphillip@lowey.com
sbediako@lowey.com

Class Counsel

¹ Sumitomo Mitsui Trust Bank, Limited was formerly known, and was sued as The Sumitomo Trust and Banking Co., Ltd. (“STB”). The Chuo Mitsui Trust and Banking Company, Limited, which was also sued in the Laydon action, merged into STB prior to the action to form Sumitomo Mitsui Trust Bank, Limited.

² On July 1, 2013, Mizuho Bank, Ltd. merged with Mizuho Corporate Bank, Ltd. After the merger, Mizuho Corporate Bank, Ltd. was the surviving entity and Mizuho Bank, Ltd. dissolved. The new entity was renamed Mizuho Bank, Ltd.

Joseph J. Tabacco, Jr.
Todd A. Seaver
BERMAN TABACCO
44 Montgomery Street, Ste. 650
San Francisco, CA 94104
Tel.: 415-433-3200
Fax: 415-433-6282

Patrick T. Egan
BERMAN TABACCO
One Liberty Square
Boston, MA 02109
Telephone: 617-542-8300
Facsimile: 617-542-1194

Christopher Lovell
Gary S. Jacobson
LOVELL STEWART HALEBIAN
JACOBSON LLP
500 5th Avenue, Suite 2440
New York, NY 10110
Tel.: 212-608-1900
Fax: 212-719-4677

Additional Counsel